

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-mj-8227-WM

UNITED STATES OF AMERICA

v.

NEFTALI REYES-GABRIEL,

Defendant.

FILED BY SW D.C.

Apr 30, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No
2. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
3. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No
4. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? No

Respectfully submitted,

HAYDEN P. O'BRYNE
UNITED STATES ATTORNEY

BY:


JOHN C. McMILLAN
ASSISTANT UNITED STATES ATTORNEY
Admin. No. A5500228
500 S. Australian Ave., Suite 400
West Palm Beach, FL 33401
Office: (561) 820-8711
John.mcmillan@usdoj.gov

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America)
v.)
Neftali REYES-GABRIEL,) Case No. 25-mj-8227-WM
a/k/a, "Guadalupe Hernandez-Valdez,")
a/k/a, "Fidel Perez,")

Defendant(s)

FILED BY SW D.C.

Apr 30, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 25, 2025 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1326(a)	Reentry After Deportation

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.


Complainant's signature

Andy Korzen, Deportation Officer, ICE

Printed name and title

Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (Facetime).

Date: April 30, 2025


Judge's signature

City and state: West Palm Beach, Florida

Hon. William Matthewman, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT
OF
ANDY KORZEN
UNITED STATES DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
Case No. 25-mj-8227-WM**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty-one years. I am currently assigned to the ICE Enforcement and Removal Operations, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Neftali REYES-GABRIEL, also known as Guadalupe HERNANDEZ-VALDEZ, and Fidel PERREZ, committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a).

3. On or about April 25, 2025, Neftali REYES-GABRIEL was arrested in Palm Beach County, Southern District of Florida, on charge of false imprisonment. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Neftali REYES-GABRIEL is a native and citizen of Guatemala. Records further show that on or about May 22, 2001, Neftali REYES-GABRIEL was voluntarily removed to Mexico as at that time he identified himself as Guadalupe HERNANDEZ-VALDEZ, a citizen of Mexico.

5. Thereafter, Neftali REYES-GABRIEL re-entered the United States illegally, and on or about August 20, 2014, was ordered removed. The Order of Removal was executed on or about May 11, 2016, whereby Neftali REYES-GABRIEL was removed from the United States and returned to Guatemala.

6. Neftali REYES-GABRIEL's fingerprints taken in connection with his April 25, 2025, arrest in Palm Beach County were scanned into the IAFIS system. Results confirmed that scanned fingerprints belong to the individual who was previously removed from the United States, that is Neftali REYES-GABRIEL.

7. A record check was performed in the Computer Linked Application Informational Management System to determine if Neftali REYES-GABRIEL filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that Neftali REYES-GABRIEL obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

8. Based on the foregoing, I submit that probable cause exists to believe that, on or about April 25, 2025, Neftali REYES-GABRIEL, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the

Department of Homeland Security for re-admission into the United States, in violation of
Title 8, United States Code, Section 1326(a).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Andy Korzen
Deportation Officer
Immigration and Customs Enforcement

Sworn and Attested to me by
Applicant by Telephone (Facetime)
pursuant to Fed. R. Crim. P. 4(d) and
4.1 this 30th day of April, 2025.



HON. WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: Neftali REYES-GABRIEL

Case No.: 25-mj-8227-WM

Count # 1

Reentry After Deportation

Title 8, United States Code, Section 1326(a)

- * **Max. Term of Imprisonment:** 2 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** not applicable
- * **Max. Supervised Release:** 1 year
- * **Max. Fine:** \$250,000.00
- * **Special Assessment:** \$100.00
- * **Immigration Consequences of removal (deportation) if convicted**